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GENERAL COUNSEL'S OPINION NUMBER 59-6, DATED 12 OCTOBER 1959

In order that they may be reimbursed for items of household equipment purchased for use in quarters overseas, employees must comply strictly with regulatory and other requirements referred to herein.

TO THE CHIEF, FINANCE DIVISION

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1. We have your memorandum of 25 September concerning expenditures under [] for certain items of household equipment. You indicate that there is uncertainty among some field officials as to which items may, and which may not, be purchased with station funds. Among those about which doubt has been expressed are electric plugs and light bulbs, cup hooks, can openers, napkins, bed sheets, pillowcases, towels, canisters, waste tins, soap dishes, hangers, and dusters.

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2. We are informed that most of these purchases are made by individuals who are nominal lessees, as covered by paragraph 10d of the regulation. These employees, when making such purchases, act as legal agents of the station, just as they do when leasing the quarters. They may only be reimbursed for authorized expenditures incurred on behalf of the Government and therefore they must not only comply with the regulations but must meet conditions necessary to the perfection of the status of legal agent, mainly authorization by a proper official to perform the task on behalf of the station. The items listed appear to be covered by the language of Section [] and for convenience we quote the applicable portion of that paragraph:

"Furniture, furnishings, and equipment to be procured by the Organization and supplied to Organization personnel in accordance with the policy set forth in paragraph 1c shall be in accordance with the Table of Allowances of Furniture and Furnishings set forth in Attachment 1. Except in the case of nonhousekeeping quarters, the Table of Allowances does not include linens, blankets, dishes, kitchen utensils or any of the other innumerable items of personal effects and household equipment. However, in this connection, Responsible Field Officials are authorized to maintain small stocks of pots, pans, dishes, silverware, etc., for loan to employees until their personal effects arrive at the station. . . ."

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3. It is the opinion of the Office of General Counsel that reimbursement, under [] for miscellaneous small household items may only be made when the following conditions have been met:

(a) The items must truly have been purchased, with proper prior authorization, for the purpose of supplying the station's small stock of items as described in paragraph 8b.

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(b) The items must have been non-expendables of the general type specified in the regulation (pots, pans, dishes, silverware).

(c) The items must have been purchased for use of the employee only until his household effects arrived, and must have been, or must be intended to be, returned to the station immediately thereafter.

4. We think compliance with the intent of [] requires a very strict construction of paragraph 8b with the concomitant close scrutiny by authorizing officials and certifying officers of expenditures made under the authority of this paragraph.

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LAWRENCE R. HOUSTON
General Counsel

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